

REMARKS/ARGUMENTS

Claims 1-8 are pending in the present application. Claims 2 and 6 have been cancelled. Claim 9 has been added.

The International Searching Authority objected to the specification on several grounds. The specification was objected to because the features of the claims were not presented with reference signs. The claims were also objected to as not drafted in two part form. The claims have been amended to overcome this objection. The specification was objected to because the description did not indicate the background art and cite the documents reflecting such art. Applicant has added several paragraphs to the Background of the Invention discussing the prior art patents discovered by the searching authority. The specification was also objected to because the description did not disclose the invention as claimed in such terms that the technical problem and solution could be understood. The claims have been amended to narrow the scope of the technical problem and solution and the background has also been amended to specifically point out the technical problem and solution and this objection is considered overcome. Additionally the specification was objected to as the authority felt the last paragraph of the description, Par. 155 contained an irrelevant and false statements. Applicant has deleted this paragraph to overcome this objection.

According to the International Search Report, independent claims 1 and 5 could not be considered novel and could not be considered to involve an inventive step because of Reference D19522937; Reference 2003/195640 to Krockner; and U.S. 2003/115019 to Doddek. Applicant specifically traverses these findings.

Independent claims 1 and 5 have each been amended to require downloading data from a meat processing machine. None of the prior art references teach or contemplate a device that takes information from a meat processing machine. Specifically the '937 reference teaches taking information from an automobile whereas the two U.S. publications teach taking information from machines and not specifically meat processing machines. As discussed in the background, by taking information from a meat processing machine with an intermediary device, instead of by hand, an improvement is present over previous information data taking techniques for meat processing machines. Thus independent claims 1 and 5 are considered novel in view of the prior art cited and to include an inventive step. Additionally

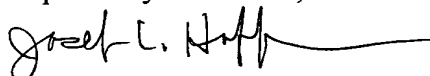
claims 3-4 and 9 depend on claim 1 and dependent claims 7-8 depend on claim 5 and for at least this reason are considered novel and to have an inventive step.

Additionally, dependent claim 3 discusses a method characterized in transferring data from a group consisting of running time, pressure settings, initials of a person gathering data, name of product being run, recipe being used to make product, and meat processing information. None of the prior art references teach transmitting this information regarding meat processing or recipe information. By transmitting this type of information from a meat processing machine an improvement is made over the prior art in that this information does not have to be taken down by hand but instead is transmitted automatically thus eliminating chance of human error. Even if claim 1 is not considered novel or to have an inventive step at the very least claim 3 is novel and provides an inventive step. Similarly, dependent claim 7 that depends on claim 5 has similar limitations therein and is also considered novel and to provide an inventive step even if independent claim 5 does not have an inventive step.

Dependent claim 9 has been added that depends on claim 1 that adds to the method of claim 1 using a hand-held device for receiving information from a meat processor wherein the meat processor has a screen and the hand-held device has a screen such that a user of the hand-held device can read the information of the machine and can also submit information to a computer. Again this is an improvement over prior art wherein humans take down information on a piece of paper where errors can be made. Thus even if claim 1 is considered not to have an inventive step, at the very least dependent claim 9 is novel and has an inventive step. Thus with this amendment all objections and rejections regarding this application are considered overcome and Applicants respectfully requests an allowance of the claims.

Should the Examiner have any suggestions or want to discuss the application with the undersigned, the Examiner is encouraged to contact applicant by phone.

Respectfully submitted,



Josef L. Hoffmann, Reg. No. 56,203
ZARLEY LAW FIRM, P.L.C.
Capital Square
400 Locust Street, Suite 200
Des Moines, IA 50309-2350
Phone Number (515) 558-0200
Fax Number (515) 558-7790
Attorneys of Record

- cag -